



South Carolina Safety Belt Law

"Section 56-5-6520. The driver and every occupant of a motor vehicle, when it is being operated on the public streets and highways of this state, **must wear a fastened safety belt**, which complies with all

provisions of federal law for its use. The driver is charged with the responsibility of requiring each occupant 17 years of age or younger to wear a safety belt or be secured in a child restraint system as provided in Article 47 of this chapter. However, a driver is not responsible for an occupant 17 years of age or younger who has a driver's license, special restricted license, or beginner's permit and who is not wearing a safety belt; such occupant is in violation of this article and must be fined in accordance with Section 56-5-6540."

Some Exceptions

The Law does not apply to:

- A driver or occupant who possesses a written verification from a physician that he is unable to wear a safety belt for physical or medical reasons;
- School, church, or day care buses, public transportation vehicles except taxis;
- An occupant for which no safety belt is available because all belts are being used by other occupants;
- Children under six years of age who must be properly restrained as provided by Article 47, Chapter 5 of Title 56 (i.e., in a child safety seat);
- A driver or occupant in a vehicle not originally equipped with safety belts.

As of December 9, 2005, South Carolina's safety belt law changes from secondary enforcement to primary enforcement. What does that mean to a motorist? Under the old law, an officer could only cite a motorist for a safety belt violation if the motorist had been stopped for another violation. The new primary law, however, gives law enforcement officers the authority to stop a driver if the officer has a clear and unobstructed view of a driver or occupant of a motor vehicle not wearing a safety belt or not secured in a child restraint system.

Violators are subject to a fine not more than \$25. No person may be fined more than \$50 for any one incident of more than one violation.



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S.C. Child Passenger Safety Seat Law

South Carolina law "Section 56-5-6410." Every driver of a motor vehicle (passenger car, pickup truck, van, or recreational vehicle) operated on the highways and streets of this State when transporting a child five years of age or younger upon the public streets and highways of the State must provide an appropriate child passenger restraint system and must secure the child as follows:

- A child from birth up to one year of age or who weighs less than twenty pounds must be properly secured in a rear-facing child safety seat which meets the standards prescribed by the National Highway Traffic Safety Administration.
- A child who is at least one year of age but less than six years of age and who weighs at least twenty pounds but less than forty pounds must be secured in a forward-facing child safety seat provided in the motor vehicle which meets the standards prescribed by the National Highway Traffic Safety Administration.
- A child who is at least one year of age but less than six years of age and who weighs at least forty pounds but not more than eighty pounds must be secured by a belt-positioning booster seat. The belt-positioning booster seat must be used with both lap and shoulder belts. A booster seat must not be used with a lap belt alone.
- If a child is at least one year of age but less than six years of age and weighs more than eighty pounds, the child may be restrained in an adult safety belt. If a child less than six years of age can sit with his back straight against the vehicle seat back cushion, with his knees bent over the vehicle's seat edge without slouching, the child may be seated in the regular back seat and secured by an adult safety belt.
- A child who is less than six years of age must not occupy a front passenger seat of a motor vehicle. This restriction does not apply if the motor vehicle does not have rear passenger seats or if other children occupy all rear passenger seats less than six years of age.
- Violators are subject to a \$150 fine.

Child safety seats are the most effective occupant protection devices used in motor vehicles today. If used correctly, they are 71 percent effective in reducing fatalities in children under the age of 5 and 69 percent effective in reducing the need for hospitalization.